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**TELECOPIER TRANSMISSION
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Date: August 12, 2005

File Number: 5600-85

Application No. 10/656,386

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If there is a problem with this transmission, please call (919) 854-1400. Our fax number is (919) 854-1401.

As you can see from the attachments, we complied with the Notice of Missing Parts in November 2003 and respectfully request that an Updated Filing Receipt for the above-referenced application be issued. Please do not hesitate to contact us should you need anything further or have any questions.

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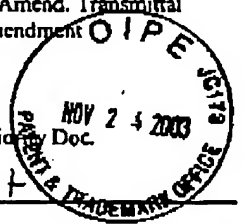
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FMS/crb Date: Nov 21, 2003

12-01-03 A09 39 No. 5600-85
Serial No. 10/056, 386
Inventor: Simmons et al.

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

Application Transmittal and:	Check \$
Specification pages	<input checked="" type="checkbox"/> IDS & PTO-1449 & 9, refs.
No. of Claims	Amendment & Amend. Transmittal
<input checked="" type="checkbox"/> Declaration & POA	Preliminary Amendment
Assignment and Fee	Issue Fee
Small Entity Statement	Brief
Formal Drawings/ sheets	Appeal
<input checked="" type="checkbox"/> Associate Power of Attorney	Submittal of Priority Doc.
Exp. Mail <input checked="" type="checkbox"/> 1st Class Mail	
<input checked="" type="checkbox"/> Other: <u>Statement of No Deceptive Intent</u>	



Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

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Attorney Docket No.: 5600-85

PATENT

AUG 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Simmons et al.

Application Serial No.: 10/656,386

Filed: September 5, 2003

For: *Stable Probiotic Microsphere Compositions and Their Methods of Preparation*

Date: November 21, 2003

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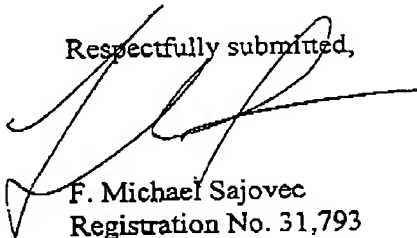
**SUBMITTAL OF DECLARATION
UNDER 37 C.F.R. § 1.63**

Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventors.

Enclosed please find a check to cover \$65 surcharge under 37 C.F.R. § 1.492(e). If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully submitted,



F. Michael Sajovec
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Clara R. Beard

MYERS BIGEL SIBLEY & SAJOVEC, P.A.

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